

17264  
U.S.PTO  
033104

# UTILITY PATENT APPLICATION TRANSMITTAL

(only for new non-provisional applications under 37 CFR §1.53(b))

22387 U.S.PTO  
10/813954



033104

Mail Stop Patent Application  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Transmitted herewith for filing is the patent application  
under 37 CFR 1.53(b) of:

AVENTIS DOCKET NO.: DEAV2003/0028 US NP

INVENTORS: JAEHNE, et al.

TITLE: **NOVEL DIPHENYL LAZETIDINONE WITH  
IMPROVED PHYSIOLOGICAL PROPERTIES,  
PROCESS FOR ITS PREPARATION, MEDICAMENTS  
COMPRISING THIS COMPOUND, AND ITS USE**

I hereby certify that this correspondence is being  
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Patent Application, Commissioner for Patents, P.O.  
Box 1450, Alexandria, VA 22313-1450, on

March 31, 2004

~~Date of Deposit~~

~~Signature~~

John Kieffer, Sr.  
~~Signature~~

EL 964841688 US

~~Express Mail No.~~

## APPLICATION ELEMENTS

1.  \*Fee Transmittal Form (e.g., PTO/SB/17)  
*(Submit an original and a duplicate for fee processing)*
2.  Specification Total Pages 30  
*(preferred arrangement set forth below)*
  - Descriptive title of the Invention
  - Cross References to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to Microfiche Appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (*if filed*)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
3.  Drawing(s) (35 U.S.C. 113) Total Sheets
4.  Oath or Declaration Total Pages 2
  - a.  Newly unexecuted (original or copy)
  - b.  Copy from a prior application (37 CFR § 1.63(d))
    - i.  **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR §§ 1.63(d)(2) and 1.33(b).
5.  Power of Attorney Total Pages  
  - a.  Newly executed (original or copy)
  - b.  Copy from a prior application (37 CFR § 1.63(d))
6.  Microfiche Computer Program (*Appendix*)

7. Nucleotide and/or Amino Acid Sequence Submission

(*if applicable, all necessary*)

- a.  Computer Readable Copy
- b.  Paper Copy (identical to computer copy)
- c.  Statement verifying identity of above copies

If a CONTINUING Application, check appropriate box, and supply the requisite information:

Continuation     Divisional     Continuation-in-part

of prior application no: \_\_\_\_\_, filed \_\_\_\_\_

Examiner \_\_\_\_\_, Group/Art Unit \_\_\_\_\_.

(The cross reference has been/will be inserted on page one of the specification).

This application claims the benefit of U.S. Provisional Application No. 60/494,456, filed August 11, 2003. (The cross reference has been/will be inserted on page one of the specification).

**Incorporation By Reference** (useable if filing a continuation/divisional and a copy of the declaration from the prior application is enclosed.)  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

**ACCOMPANYING APPLICATION PARTS**

- 7.  Assignment Papers (*cover sheet & document(s)*)
- 8.  37 CFR §3.73(b) Statement  
(*when there is an assignee*)
- 9.  Verified English Translation Document (*if applicable*)
- 10.  Information Disclosure Statement (IDS)/PTO-1449       Copies of IDS Citations
- 11.  Preliminary Amendment
- 12.  Return Receipt Postcard (MPEP 503)  
(*Should be specifically itemized*)
- 13.  \*Small Entity Statement(s)       Statement filed in prior application,  
(*PTO/SB/09-12*) Status still proper and desired
- 14.  Certified Copy of Priority Document(s)  
(*DE 103 14 610.5 filed April 1, 2003*)
- 15.  Other: Application Data Sheet

**CORRESPONDENCE ADDRESS**

Customer Number or Bar Code Label

005487

(Insert Customer No. or Attach bar code label here)



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# FEE TRANSMITTAL for FY 2004

*Patent fees are subject to annual revision.*

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 770.00)

**Complete if Known**

Application Number	Not Yet Assigned
Filing Date	March 31, 2004
First Named Inventor	JAEHNE, et al.
Examiner Name	Not Yet Known
Group / Art Unit	Not Yet Known
Attorney Docket No.	DEAV2003/0028 US NP

METHOD OF PAYMENT (check all that apply)				FEE CALCULATION (continued)																																																																																																																																																																															
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<input checked="" type="checkbox"/> Deposit Account Deposit Account Number <b>18-1982</b> Deposit Account Name <b>Aventis Pharmaceuticals Inc.</b> <b>The Commissioner is authorized to:</b> (check all that apply) <input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) during the pendency of this application <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account				<table border="1"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr> <td>1051</td> <td>130</td> <td>2051</td> <td>65</td> <td>Surcharge - late filing fee or oath</td> </tr> <tr> <td>1052</td> <td>50</td> <td>2052</td> <td>25</td> <td>Surcharge - late provisional filing fee or cover sheet</td> </tr> <tr> <td>1053</td> <td>130</td> <td>1053</td> <td>130</td> <td>Non-English Specification</td> </tr> <tr> <td>1812</td> <td>2,520</td> <td>1812</td> <td>2,520</td> <td>For filing a request for reexamination</td> </tr> <tr> <td>1804</td> <td>920*</td> <td>1804</td> <td>920*</td> <td>Requesting publication of SIR prior to Examiner action</td> </tr> <tr> <td>1805</td> <td>1,840*</td> <td>1805</td> <td>1,840*</td> <td>Requesting publication of SIR after Examiner action</td> </tr> <tr> <td>1251</td> <td>110</td> <td>2251</td> <td>55</td> <td>Extension for reply within first month</td> </tr> <tr> <td>1252</td> <td>420</td> <td>2252</td> <td>205</td> <td>Extension for reply within second month</td> </tr> <tr> <td>1253</td> <td>950</td> <td>2253</td> <td>465</td> <td>Extension for reply within third month</td> </tr> <tr> <td>1254</td> <td>1,480</td> <td>2254</td> <td>725</td> <td>Extension for reply within fourth month</td> </tr> <tr> <td>1255</td> <td>2,010</td> <td>2255</td> <td>985</td> <td>Extension for reply within fifth month</td> </tr> <tr> <td>1401</td> <td>330</td> <td>2401</td> <td>160</td> <td>Notice of Appeal</td> </tr> <tr> <td>1402</td> <td>330</td> <td>2402</td> <td>160</td> <td>Filing a brief in support of an appeal</td> </tr> <tr> <td>1403</td> <td>290</td> <td>2403</td> <td>140</td> <td>Request for oral hearing</td> </tr> <tr> <td>1451</td> <td>1,510</td> <td>1451</td> <td>1,510</td> <td>Petition to institute a public use proceeding</td> </tr> <tr> <td>1452</td> <td>110</td> <td>2452</td> <td>55</td> <td>Petition to revive - unavoidable</td> </tr> <tr> <td>1453</td> <td>1,330</td> <td>2453</td> <td>650</td> <td>Petition to revive - unintentional</td> </tr> <tr> <td>1501</td> <td>1,330</td> <td>2501</td> <td>650</td> <td>Utility issue fee (or reissue)</td> </tr> <tr> <td>1502</td> <td>480</td> <td>2502</td> <td>235</td> <td>Design issue fee</td> </tr> <tr> <td>1503</td> <td>640</td> <td>2503</td> <td>315</td> <td>Plant issue fee</td> </tr> <tr> <td>1460</td> <td>130</td> <td>1460</td> <td>130</td> <td>Petitions to the Commissioner</td> </tr> <tr> <td>1807</td> <td>50</td> <td>1807</td> <td>50</td> <td>Petitions related to provisional applications</td> </tr> <tr> <td>1806</td> <td>180</td> <td>1806</td> <td>180</td> <td>Submission of Information Disclosure Stmt</td> </tr> <tr> <td>8021</td> <td>40</td> <td>8021</td> <td>40</td> <td>Recording each patent assignment per property (times number of properties)</td> </tr> <tr> <td>1809</td> <td>770</td> <td>2809</td> <td>375</td> <td>Filing a submission after final rejection (37 CFR § 1.129(a))</td> </tr> <tr> <td>1810</td> <td>770</td> <td>2810</td> <td>375</td> <td>For each additional invention to be examined (37 CFR § 1.129(b))</td> </tr> <tr> <td>1801</td> <td>770</td> <td>2801</td> <td>375</td> <td>Request for Continued Examination (RCE)</td> </tr> <tr> <td>1802</td> <td>900</td> <td>1802</td> <td>900</td> <td>Request for expedited examination of a design application</td> </tr> <tr> <td colspan="4">Other fee (specify)</td> <td colspan="4"></td> </tr> <tr> <td colspan="4">SUBTOTAL (1) (\$ 770.00)</td> <td colspan="4">SUBTOTAL (3) (\$)</td> </tr> <tr> <td colspan="8">           **or number previously paid, if greater; 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## SUBMITTED BY

## Complete (if applicable)

Name (Print/Type)	Barbara E. Kurys, Reg. No. 34,650	Registration No. (Attorney/Agent)	34,650	Telephone	(908) 231-2965
Signature	<i>Barbara E. Kurys</i>			Date	3/31/2004

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Alexandria, VA 22313. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

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Aventis Pharmaceuticals Inc. template